

REMARKS

Claims 1-20 are pending in this application. For purposes of expedition, claims 1, 9 and 19-20 have been amended in several particulars for purposes of clarity and brevity that are unrelated to patentability and prior art rejections in accordance with current Office policy, to further and alternatively define Applicants' disclosed invention and to assist the Examiner to expedite compact prosecution of the instant application.

Claim 20 has been objected to because of the informalities presented on page 2 of the Office Action. In response thereto, claim 20 has been amended to overcome the objection.

Claims 1-20 have been rejected under 35 U.S.C. §102(b) as being anticipated by Fortin et al., U.S. Patent Application Publication No. 2002/0023110 A1 for reasons stated on pages 3-9 of the Office Action (Paper No. 20051122). The rejection is respectfully traversed, however. Applicants submit that the features of Applicants' base claims 1, 9, 15 and 19 are **not** disclosed or suggested by Fortin '110. Therefore, Applicants respectfully request the Examiner to reconsider and withdraw this rejection for the following reasons.

Base claims 1, 9, 15 and 19 define generally a system and method and storage medium for providing a visual display of a markup document linked to an applet, in which display of image output information for the markup document is delayed and synchronized with applet output information for an applet linked to the markup document, when rendering of the applet is completed, so that the delayed image output information for the markup document and the applet output information for the applet are displayed simultaneously. This way a user does not have to watch a blank applet image and an applet initializing message, while an applet linked to a markup document is being initialized. See paragraph [0038] of Applicants' specification.

For example, base claim 1 defines a method of displaying a markup document linked to an applet, comprising:

- delaying display of image output information for the markup document;
- and
- synchronizing the delayed image output information for the markup document with applet output information for an applet linked to the markup document, when rendering of the applet is completed, such that the delayed image output information for the markup document and the applet output information for the applet are displayed simultaneously.

Similarly, base claim 9 defines an information storage medium controlling a computer, comprising:

- a markup document; and
- an applet linked to the markup document,

wherein the applet or the markup document includes markup image output delay information used to delay display of the markup document such that image output information of the markup document and applet output information of the applet are to be displayed simultaneously.

Alternatively, base claim 15 defines a computer system with a display device, comprising:

- a presentation engine, which interprets a markup document to provide image output information for the markup document; and
- an applet executing engine, which interprets an applet linked to the markup document to provide an applet output,

wherein the presentation engine delays display of the image output information for the markup document, and synchronizes and outputs the delayed image output information of the markup document and the applet output to the display device, when an output control signal indicating completion of rendering of the applet output is input from the applet executing engine.

Similarly, base claim 19, as amended, defines a computer system with a display device, comprising:

- a programmed computer processor controlling synchronous output of a markup document image including a linked applet image to the display device, according to display control information included in the markup document and/or in the applet, so that the markup document image and the linked applet image are displayed simultaneously as a markup image.

In contrast to Applicants' claims 1, 9, 15 and 19, Fortin '110 discloses a conventional markup language system, as shown in FIG. 1, in which a markup document is provided with features, such as descriptive markup defining tags, which allow the user to dynamically change an image displayed. As shown in FIG. 1, the computer system is provided with a browser 32 which can provide a visual display of a markup document and , and a HTTP server 30 which can make files such as "Java applets" 34. According to Fortin '110, the browser 32 is "java-enabled", that is, capable to execute the "Java applets", as described on paragraph [0061]. However, the process of executing each "Java applet" is conventional and is well known, as expressly acknowledged in the "RELATED ART" section of Applicants' specification. In other words, an image obtained from a markup document is displayed first and then an image of a linked "Java applet" is displayed later. Specifically, as shown in FIG. 3, the linked "Java applet" 34 is

executed in a series of steps, as shown in steps 52, 54, and 56, so that the graphical objects are drawn and displayed in a display area. However, as discussed in Applicants' "RELATED ART" section, a specific amount of time is required to display an initial image of the "Java applet" by initializing and executing the "Java applet". As a result, the user must watch a markup image and a message informing the use that a corresponding class for executing the "Java applet" is loading, or a message information the user of executing initialization, at least until the initial image of the "Java applet" is displayed.

There is **no** disclosure from Fortin '110 nor is there any teaching or suggestion of the Applicants' markup image in which display of image output information for the markup document is delayed and synchronized with applet output information for an applet linked to the markup document, so that the delayed image output information for the markup document and the applet output information for the applet are displayed simultaneously, as generally defined in claims 1, 9, 15 and 19.

Nevertheless, in support of the rejection of Applicants' base claims 1, 9 and 19, the Examiner cites paragraphs [0006] - [0009] of Fortin '110 for allegedly disclosing "delaying display of image output information for the markup document" and FIG. 1, paragraphs [0055] - [0058] of Fortin '110 for allegedly disclosing "synchronously displaying the delayed image output information for the markup document and an applet output when rendering the applet is completed". However, the citation is misplaced. Paragraphs [0006] - [0009] of Fortin '110 simply refer to a markup document and the use of descriptive markup defining tags which allows the user to dynamically change the content of an image displayed. Similarly, paragraphs [0055] - [0058] of Fortin '110 describe the functionality of a computer system 20, including a browser 30 and a HTTP server 30 to process "Java applets" 34 along with other files 22 in response to user input 26. Again, no disclosure of any synchronous display of the delayed image output information for the markup document and an applet output when rendering the applet is completed" as defined in Applicants' base claims 1, 9 and 19.

In support of the rejection of Applicants' base claim 15, the Examiner cites FIG. 1 and paragraphs [0055] - [0058] of Fortin '110 for allegedly disclosing a computer system in which "the presentation engine delays display of the image output information for the markup document, and synchronizes and outputs the delayed image output information of the markup document and the applet output to the display device, when an output control signal indicating completion of rendering of the applet output is input from the applet executing engine". Again, the cited

paragraphs [0055] - [0058] of Fortin '110 only describe the functionality of a computer system 20, as shown in FIG. 1, including a browser 30 and a HTTP server 30 to process "Java applets" 34 along with other files 22 in response to user input 26. There is **no** delay or synchronization of an image from the markup document and an image from an applet as alleged by the Examiner.

The rule under 35 U.S.C. §102 is well settled that anticipation requires that each and every element of the claimed invention be disclosed in a single prior art reference. In re Paulsen, 30 F.3d 1475, 31 USPQ2d 1671 (Fed. Cir. 1994); In re Spada, 911 F.2d 705, 15 USPQ2d 1655 (Fed. Cir. 1990). Those elements must either be inherent or disclosed expressly and must be arranged as in the claim. Richardson v. Suzuki Motor Co., 868 F.2d 1226, 9 USPQ2d 1913 (Fed. Cir. 1989); Constant v. Advanced Micro-Devices, Inc., 848 F.2d 1560, 7 USPQ2d 1057 (Fed. Cir. 1988); Verdegall Bros., Inc. v. Union Oil Co., 814 F.2d 628, 2 USPQ2d 1051 (Fed. Cir. 1987). In addition, the prior art reference must be enabling. Akzo N.V. v. U.S. International Trade Commission, 808 F.2d 1471, 1479, 1 USPQ2d 1241, 1245 (Fed. Cir. 1986), cert. denied, 482 U.S. 909 (1987). The corollary of that rule is that absence from the reference of any claimed element negates anticipation. Kloster Speedsteel AB v. Crucible Inc., 793 F.2d 1565, 230 USPQ2d 81 (Fed. Cir. 1986).

The burden of establishing a basis for denying patentability of a claimed invention rests upon the Examiner. The limitations required by the claims cannot be ignored. See In re Wilson, 424 F.2d 1382, 165 USPQ 494 (CCPA 1970). All claim limitations, including those which are functional, must be considered. See In re Oelrich, 666 F.2d 578, 212 USPQ 323 (CCPA 1981). Hence, all words in a claim must be considered in deciding the patentability of that claim against the prior art. Each word in a claim must be given its proper meaning, as construed by a person skilled in the art. Where required to determine the scope of a recited term, the disclosure may be used. See In re Barr, 444 F.2d 588, 170 USPQ 330 (CCPA 1971).

In the present situation, Fortin '110 fails to disclose and suggest key aspects of Applicants' base claims 1, 9, 15 and 19 and additional features of their respective dependent claims 2-8, 10-14, 16-18 and 20. Therefore, Applicants respectfully request that the rejection of claims 1-20 be withdrawn.

In view of the foregoing amendments, arguments and remarks, all claims are deemed to be allowable and this application is believed to be in condition to be passed to issue. Should any questions remain unresolved, the Examiner is requested to telephone Applicants' attorney at the Washington DC office at (202) 216-9505 ext. 232. Applicants respectfully reserve all rights


to file subsequent related application(s) (including reissue applications) directed to any or all previously claimed limitations/features which have been amended or canceled, or to any or all limitations/features not yet claimed, i.e., Applicants have no intention or desire to dedicate or surrender any limitations/features of the disclosed invention to the public.

To the extent necessary, Applicants petition for an extension of time under 37 CFR §1.136. If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

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